

ENTERED

September 05, 2024

Nathan Ochsner, Clerk

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISION

HERRADO JOSE MOLINA,

§

Plaintiff,

§

V.

CIVIL ACTION NO. 2:24-CV-00082

PERLA K. SANCHEZ BALDERAS, *et al.*,

§

Defendants.

§

ORDER ADOPTING MEMORANDUM & RECOMMENDATION

Before the Court is Magistrate Judge Julie Hampton's Memorandum and Recommendation ("M&R"). (D.E. 7). The M&R recommends that the Court dismiss the case without prejudice for failure to prosecute. *Id.* at 2.

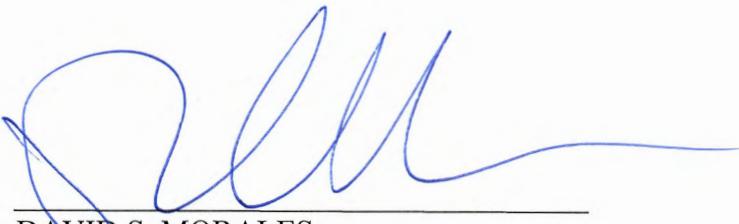
The parties were provided proper notice of, and the opportunity to object to, the Magistrate Judge's M&R. *See* 28 U.S.C. § 636(b)(1); FED. R. CIV. P. 72(b); General Order No. 2002-13. No objection has been filed.¹ When no timely objection has been filed, the district court need only determine whether the Magistrate Judge's M&R is clearly erroneous or contrary to law. *United States v. Wilson*, 864 F.2d 1219, 1221 (5th Cir. 1989) (per curiam).

Having reviewed the proposed findings and conclusions of the Magistrate Judge, the filings of the parties, the record, and the applicable law, and finding that the M&R is not clearly erroneous or contrary to law, the Court **ADOPTS** the M&R in its entirety. (D.E. 7). Accordingly, the Court **ORDERS** that this case be **DISMISSED without prejudice** for failure to prosecute.

¹ The docket sheet reflects Plaintiff's address as the James V. Allred Unit in Iowa Park, Texas. However, an inmate search on the Texas Department of Criminal Justice's website reveals that Plaintiff is currently housed in the Robertson facility in Abilene, Texas.

Further, the Court **ORDERS** the Clerk of Court to send a copy of the D.E. 7 M&R, this Order, and the accompanying final judgment to Plaintiff at the Robertson Unit, 12071 FM 3522, Abilene, Texas 79601.

SO ORDERED.



DAVID S. MORALES
UNITED STATES DISTRICT JUDGE

Dated: Corpus Christi, Texas
September 5, 2024